IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

Bail Appl..No. 1333 of 2007()

CMP.763/2007 of J.M.F.C.-II, CHERTHALA
CRIME NO.47/07 OF AROOR POLICE STATION

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: PETITIONER

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1. ANEESH, AGED 32 YEARS,
S/O AMBUJAKSHAN, PUTHIYATH HOUSE,
AROOR KARA, AROOR.

2. SURAJ, AGED 26 YEARS,
S/O SUDHARSHAN, PUTHIYATH HOUSE,
AROOR KARA.

3. VINOD, AGED 28 YEARS,
S/O SURESH, POKKALA PARAMBIL,
AROOR.

4. JOHNSON, AGED 28 YEARS,
S/O AUGUSTINE, CHANNIYIL HOUSE,
AROOR.

5. BIJU, S/O APPUKUTTAN,
MALIAKKAL HOUSE, MATTUMMEL,
THEVARA, ERNAKULAM.

BY ADV. SRI.DINESH MATHEW J.MURICKEN

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, AROOR,
POLICE STATION, THORUGH THE PUBLIC
PROSECUTOR, HIGH COURT OF KERRALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1333 OF 2007 B

Dated this the 15th day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners, who are accused Nos.1 to 4 and 7 in Crime No.47/07 of Aroor Police Station for offences punishable under Secs.143, 147, 148, 452, 427, 324, 506(ii) and 308 read with section 149 I.P.C., seek their enlargement on bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 3.2.2007 at about midnight the accused persons in prosecution of their common object to attack the defacto complainant pursuant to an earlier altercation criminally trespassed into the house of the defacto complainant and voluntarily caused hurt to the defacto complainant and his family members using dangerous weapons. The petitioners were arrested on 17.2.2007.

4. Having regard to the facts and circumstances of the case and the duration of the judicial custody of the petitioners, I am inclined to grant bail to the petitioners but from a future date. Accordingly, the petitioners are directed to be released on bail with effect from 22.3.2007 on each of them executing a bond for Rs.10,000/- (Rupees ten thousand

only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Cherthala and subject to the following conditions:

a. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

c. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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